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 Brendan O'Shea, and Danny O'Shea*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

HARPO, INC. and OW LICENSING
 COMPANY, LLC,

Plaintiffs,

v.

NUU3 NUTRITION LLC, BRENDAN
 O'SHEA, and DANNY O'SHEA,

Defendants.

Case No. 2:23-cv-00899-JCM-MDC

**STIPULATION AND ORDER FOR
 EXTENSION OF TIME TO ANSWER OR
 OTHERWISE RESPOND TO
 COMPLAINT**

(Eighth Request)

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule IA 6-1, Plaintiffs Harpo, Inc. and OW Licensing Company, LLC ("Plaintiffs"), by and through their counsel of record, and Defendants Nu3 Nutrition LLC, Brendan O'Shea, and Danny O'Shea ("Defendants"), by and through their counsel of record, hereby agree and stipulate to an extension of time to April 15, 2024, for the Defendants to file and serve their answer or otherwise respond to the Complaint (ECF No. 1).

Defendant Nu3 Nutrition LLC was served on July 12, 2023. On August 1, 2023, the parties filed a stipulation to extend Nu3 Nutrition LLC's deadline to answer or otherwise respond to the Complaint to September 1, 2023 (ECF No. 20), which was granted by the Court on August 3, 2023 (ECF No. 21).

Defendant Brendan O'Shea was served on July 22, 2023. On August 14, 2023, the parties filed a stipulation to extend Brendan O'Shea's deadline to answer or otherwise respond to the Complaint to September 1, 2023 (ECF No. 23), which was granted by the Court on August 14, 2023 (ECF No. 24).

1 Defendant Danny O'Shea was served on August 9, 2023.

2 On August 24, 2023, the parties filed a stipulation to extend the deadline for all Defendants
3 to answer or otherwise respond to the Complaint to October 2, 2023 (ECF No. 26), which was
4 granted by the Court on September 5, 2023 (ECF No. 28).

5 On September 25, 2023, the parties filed a stipulation to extend the deadline for all
6 Defendants to answer or otherwise respond to the Complaint to November 1, 2023 (ECF No. 29),
7 which was granted by the Court on September 25, 2023 (ECF No. 30).

8 On October 23, 2023, the parties filed a stipulation to extend the deadline for all Defendants
9 to answer or otherwise respond to the Complaint to December 1, 2023 (ECF No. 31), which was
10 granted by the Court on October 25, 2023 (ECF No. 32).

11 On November 27, 2023, the parties filed a stipulation to extend the deadline for all
12 Defendants to answer or otherwise respond to the Complaint to January 15, 2024 (ECF No. 33),
13 which was granted by the Court on November 28, 2023 (ECF No. 34).

14 On January 5, 2024, the parties filed a stipulation to extend the deadline for all Defendants
15 to answer or otherwise respond to the Complaint to February 15, 2024 (ECF No. 35), which was
16 granted by the Court on January 9, 2024 (ECF No. 38).

17 On February 8, 2024, the parties filed a stipulation to extend the deadline for all Defendants
18 to answer or otherwise respond to the Complaint to March 15, 2024 (ECF No. 39), which was
19 granted by the Court on February 13, 2024 (ECF No. 40).

20 The parties now agree that the Defendants shall have up to and including April 15, 2024,
21 to answer or otherwise respond to the Complaint (ECF No. 1). This is the eighth request by the
22 Defendants Nu3 Nutrition LLC and Brendan O'Shea and the seventh request by Defendant
23 Danny O'Shea.

24 Good cause for this request exists because counsel for Plaintiffs and Defendants remain
25 actively engaged in good faith settlement discussions in order to try and resolve this matter.
26 Plaintiffs presented a settlement proposal in the form of a draft written settlement agreement to
27 Defendants on November 6, 2023. On Friday, November 8, 2023, counsel for the parties discussed
28 the settlement proposal and discussed early production by both sides of backup information

1 supporting each side's respective settlement positions. Both sides have exchanged information
2 and have engaged in continued dialogue regarding possible terms of settlement based on the shared
3 information, including counsel for both sides meeting in person on January 16, 2024, to discuss at
4 length the possibility of resolving the case to avoid further costly litigation. Since that meeting,
5 both sides have exchanged additional settlement proposals in an effort to resolve the case and
6 continue to engage in discussions regarding possible terms of settlement.

7 With the parties very close to an accord on the principal terms of a settlement, Defendants'
8 counsel reviewed and revised the prior draft written settlement agreement that had been previously
9 presented by Plaintiffs and, on March 6, 2024, emailed Defendants' revisions to the settlement
10 agreement to Plaintiffs' counsel for Plaintiffs' consideration. As such, the parties require
11 additional time to continue such settlement efforts and to work out the terms and conditions of a
12 settlement.

13 Accordingly, this Stipulation is made for good cause and not for purposes of delay.

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For the foregoing reasons, the parties hereby stipulate and agree to extend the deadline for Defendants to answer or otherwise respond to the Complaint to April 15, 2024.

DATED: March 8, 2024

IT IS SO AGREED AND STIPULATED:

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/s/ Meng Zhong

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Nutrition LLC, Brendan O'Shea, and
Danny O'Shea*

IT IS SO ORDERED:



Maximiliano D. Couvillier III
UNITED STATES MAGISTRATE JUDGE
DATED: March 11, 2024

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document is being served via transmission of Notices of Electronic Filing generated by CM/ECF to all participants in the case who are registered CM/ECF users.

/s/ Ryan Gile
Employee, Gile Law Group Ltd.